

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARIANELA SUSANA,

Plaintiff,

-V-

NY WATERWAY *et al.*,

Defendants.

20 Civ. 455 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:


The Court has reviewed the parties' letters regarding Defendant Port Imperial Ferry Corp., d/b/a NY Waterway's letter requesting leave to file its anticipation motion for summary judgment and motion for costs associated with Plaintiff's missed appointments for an independent medical examination ("IME"). Dkts. 75, 77. The parties may proceed with briefing on Defendant's motion for summary judgment and motion for costs associated with Plaintiff's missed IMEs. Defendants shall file their moving papers by April 29, 2022, and Plaintiff shall file her opposition papers by May 27, 2022. Defendants shall file their reply papers, if any, by June 10, 2022.

Furthermore, on March 11, 2022, Defendant filed a motion for civil contempt, requesting that the Court enter an order finding non-party Bridgette Escolasticos in civil contempt, striking her affidavit from evidence, and precluding her from testifying at any future trial concerning this matter. Dkts. 71-74. Plaintiff has not filed any opposition to Defendant's motion for civil contempt.

Accordingly, it is hereby ordered that, if Plaintiff intends to oppose Defendant's motion for civil contempt, she shall do so by April 8, 2022, and Defendant shall file any reply by April 15, 2022. Otherwise, the Court will assume that Plaintiff does not oppose Defendant's motion for civil contempt and proceed with its decision on Defendant's pending motion.

SO ORDERED.

Dated: April 1, 2022  
New York, New York

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JOHN P. CRONAN  
United States District Judge